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According to state aid case law, as the draft acknowledges, state funded investments should only take place where it can be shown that a market test would be passed, meaning that a private sector investor would make the investment if all the costs and benefits were to accrue to the investor. In this case, talk about “digital divides” and the arbitrary targets suggested in high level policy documents cannot possibly amount to a way of knowing whether or not a state funded investment would be a waste of money.

A far more careful economic case is needed before any public money is wasted on activities which are eminently suited for private investors to assess. The draft should be withdrawn, and work begun on a more careful analysis.

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